

Attorney Docket No.: RTS-0139
Inventors: Baker and Cowser
Serial No.: 10/035,485
Filing Date: October 17, 2003
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REMARKS

Claims 1, 2, 4-10 and 12-14 are pending in the instant application. Claims 1, 2, 4-10 and 12-14 have been rejected. Claim 1 has been amended. No new matter has been added by these amendments. Reconsideration is respectfully requested in light of these amendments and the following remarks.

I. Rejection of Claims Under 35 U.S.C. 102/103

Claims 1, 2, 4-10 and 12-14 have been rejected under 35 U.S.C. 102(a or e) and 103(a) as being anticipated by or obvious over Zhang et al. (US Patent 6,258,600). The Examiner suggests that this reference discloses an antisense oligonucleotide that is 94.1% complementary to nucleotides 345 through 361 of SEQ ID NO: 3 and is modified as claimed as well as being formulated with a pharmaceutically acceptable carrier. The Examiner suggests that absent evidence to the contrary, the compound of Zhang et al. would specifically hybridize with the target region claimed and inhibit expression of the target gene. Applicants respectfully traverse this rejection.

At the outset, the claims have been amended to recite compounds targeted to a specific nucleobase region within the

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sequence of SEQ ID NO: 3 to be targeted by antisense, a region that does not include the region targeted by the compound of Zhang et al. This region is one that was shown in the specification as filed to be successfully targeted by antisense compounds (see Table 1). The nucleobase region selected is one that starts at nucleobase 381, listed specifically in Table 1, and one that ends at nucleobase 882, which is also shown in Table 1 to be targeted by an oligonucleotide of 20 mer that is complementary to nucleobases beginning at 863 (see Table 1 of the specification as filed). Therefore, Table 1 of the specification as filed clearly defines a region within the coding region that is encompassed by nucleobases 381 through 882, a region that is also shown to be successfully targeted by a number of antisense oligonucleotides.

Zhang et al. disclose a single antisense compound that is reverse complementary to the nucleobase region 345 through 361 of SEQ ID NO: 3, with 94.1% overlap. No other antisense compounds targeted to any region of matrix metalloproteinase 1 of SEQ ID NO: 3 are taught or suggested by this reference. Therefore, nowhere does this patent teach or suggest compounds as now claimed. In order to anticipate or make obvious an instant invention, the cited reference must teach each and every limitation of the claims (MPEP

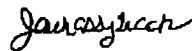
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2131 and 2143). Accordingly, this reference cannot anticipate or make obvious the instant invention. Withdrawal of this rejection is respectfully requested.

II. Conclusion

Applicants believe that the foregoing comprises a full and complete response to the Office Action of record. Accordingly, favorable reconsideration and subsequent allowance of the pending claims is earnestly solicited.

Respectfully submitted,



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